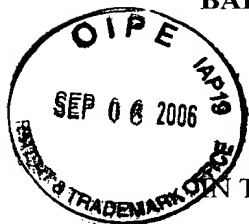


IFW 3735

BARNES & THORNBURG



11 South Meridian Street
Indianapolis, Indiana
46204
(317) 236-1313
(317) 231-7433 Fax

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Group: 3735

Confirmation No.: 6811

Application No.: 09/785,715

Invention: Tissue Treatment Method

Applicant: W. Gregory Chernoff

Filed: February 16, 2001

Attorney

Docket: 6631-27092

Examiner: Ahmed M. Farah

Certificate Under 37 CFR 1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

on September 1, 2006
Kim Tyree
(Signature)

Kim Tyree
(Printed Name)

RESPONSE TO OFFICIAL ACTION

Mail Stop Amendment
Commissioner for Patents
P. O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

This letter is submitted in response to the July 31, 2006 official action.

The Examiner rejected claims 4 and 5 under 35 U. S. C. § 103. The Examiner relied upon the combination of Studin U. S. Patent 6,337,076 (hereinafter Studin) and Blaine U. S. Patent 6,572,878 (hereinafter Blaine) to support this rejection.

Studin matured from an application filed November 17, 1999. The present application was filed February 16, 2001, but is a straight continuation of an application filed October 16, 1998, which, in turn, claims the benefit of a provisional application filed October 17, 1997, more than two years before Studin's filing date. Studin is not prior art to this application.

Blaine matured from an application filed September 7, 2000. Again, the present application was filed February 16, 2001, but is a straight continuation of an

application filed October 16, 1998, which, in turn, claims the benefit of a provisional application filed October 17, 1997, almost three years before Blaine's filing date. Blaine is not prior art to this application.

Accordingly, Applicant submits that his claims 4-12 are entitled to favorable consideration, culminating in allowance. Such action is respectfully requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Richard D. Conard", written in a cursive style.

Richard D. Conard
Attorney Reg. No. 27321
Attorney for Applicant

Indianapolis, Indiana
(317)231-7285

INDS02 RDC 832938